To: Gibson, Christopher[cgibson@archerlaw.com]

**Cc:** Berkman, Thomas S (DEC)[thomas.berkman@dec.ny.gov]; Charney, Lauren[Charney.Lauren@epa.gov]; Doyle, James[Doyle.James@epa.gov]; Lieber,

Thomas[Lieber.Thomas@epa.gov]

From: Simon, Paul

**Sent:** Thur 3/31/2016 2:24:08 PM

Subject: Hoosick Falls

Chris – I heard the voicemail message you left for my colleague Lauren Charney. NYSDEC is already aware that EPA is preparing to do sampling in April, including on Saint-Gobain's McCaffrey Street facility, to gather information to help EPA evaluate the site for possible NPL listing, as the DEC Acting Commissioner requested in his January 14, 2016 letter to Judith Enck. This sampling needs to be done right away so that we can keep on schedule in our Hazard Ranking System evaluation effort for this site. This is the sampling for which Lauren sent you an access agreement. I strongly hope that your client will promptly cooperate with EPA's access request. Please let us know as soon as possible.

Separately, Saint-Gobain and Honeywell will very shortly be receiving a letter from EPA asking the two companies if they are willing to conduct soil sampling on certain properties near the McCaffrey Street facility to see if there have been impacts to those properties from releases from the McCaffrey Street facility and if so, whether those impacts make it necessary for a Superfund removal action to be conducted. DEC senior management is aware of this planned EPA-led soil sampling effort too. So, please look out for that letter. Again, this "off-facility" sampling that is the subject of EPA's forthcoming letter to you is separate from the on-facility sampling for which Lauren sent you the access request.

Paul Simon

Deputy Regional Counsel

EPA Region 2

212-637-3152

Simon.paul@epa.gov